MURDERER OF IDA GASKILL TO SWING

Supreme Court Refuses to Interfere with the Sentence of the Lower Court-baccution Set for October S.

The supreme court of Nebraska has de sided that George Morgan, the convicted murderer of little Ida Gaskill, must pay the death penalty for one of the most beinous crimes ever committed within the state and has fixed October 8 as the day upon which he must hang.

The finding of the lower court was affirmed at the sitting of the supreme court Wednesday and Sheriff McDonald was notified of that action by telephone yesterday morning. Soon afterward Deputy Sheriff Stryker and Jailer George Shand notified Morgan of the action of the court. The condemned man a motion for a further hearing which his attorneys intend filing in the supreme court. Morgan was taken from his cell to the bath room in the basement, where he took a bath while everything was being removed

from his cell death penalty was passed upon Morgan, he has been confined in one of the morgan, he has been confined in one of the molitary cells in the east wing, on the upper floor of the jail. When the appeal was taken to the supreme court, the death watch was removed, and since then he has been allowed books, papers tobacco, etc., as a solace in his solitude. He has been al-lowed to have a small knife, with which be has made pretty ornaments from card-board, and these he has given to visitors or sold to get money to buy tobacco, etc. A small table on one side of his small cell has been piled with books and other read-ing matter, and the bars forming the sides of his cell have been decorated with small pictures, giving the narrow quarters an ap-pearance of cheerfulness. This morning, while Morgan was out, all these things were removed and he will be allowed to have only a few books.

OPINION OF THE SUPREME COURT. Chief Justice Pest handed down the opinion, the syllabus of which is:

ton, the syllabus of which is:

The test by which to determine the sufficiency of circumstantial evidence in a criminal prosecution is whether the facts and circumstances tending to connect the accused with the crime charged are of such conclusive nature as to exclude to a moral certainty every rational hypothesis except that of his guil.

2. It is the province of the jury to determine the circumstances surrounding and which shed light upon the alleged crime, and if assuming as proved the facts which the evidence tends to establish, they can be accounted for upon no rational theory which does not include the guilt of the accused, the proof cannot, as a matter of law, be said to have failed. Casey vs State, 20, Neb. 138.

(The third paragraph of the syllabus is

(The third paragraph of the syllabus is levoted to a recital of the facts of the death devoted to a recital of the facts of the death of the little girl.)

4. Evidence examined and held to point with such certainty to accused as the per-petrator of the crime charged as to warrant the verdict of murder complained of in

this proceeding.

5. The legislature of this state in the enactment, in 1873, of the Ohio criminal code.

this proceeding.

5. The legislature of this state in the enactment, in 1873, of the Ohio criminal code, is presumed to have adopted the settled construction thereof by the courts of that state.

6. But a construction of that statute by the courts of Ohio is entitled to no greater consideration than previous decisions of this court and will be rejected for reasons which would require the overfuling thereof had it been first adopted in this state.

ONLY ONE DEGREE.

7. Homicides committed fit the perpetration or attempt to perpetrate any rape, areon, robbery or burglary, is, by section 3, criminal code, declared murder in the first degree. The turpitude of the act is in the exceptional cases mentioned in the statute made to supply the place of deliberate and premeditated malice, while a purpose to kill is conclusively presumed from the intention which is the essence of the enumerated felonies. Henry 4, state 50 Neb.

8. An information for murdet, contained two counts, by the first of which the accused was charged with the killing of deceased purposely, and of his deliberate and premeditated malice, and by the second count the killing was alleged to have been done in the perpetration of a rape upon the person of deceased, Held, prever to instruct that murder in the second degree and manslaughter are not included in the second count, and that in case the accused is found gully as therein charged, the verdiet should be for murder in the first degree.

9. It is not, in a criminal prosecution, error for the trial court to assume the existence of facts asserted by the accused on the trial, treated by him as proved. Hill against State, 42 Neb, 503.

10. Objection to an instruction on the ground that it contains two or more distinct propositions will not be noticed when made for the first time in this court. Smith against State, 4 Neb, 277.

11. It is in a criminal prosecution permissible for the state to introduce evidence of any number of facts and deceases and and courts and courts.

ngainst State, 4 Neb. 277,

al. It is in a criminal prosecution permissible for the state to introduce evidence of any number of facts and circums ances tending to connect the accused with the crime charged, and if the facts actually proved are sufficient to establish guilt beyond reasonable doubt he is not entitled to an accondital because of a failure of proof with respect to one or more of the facts relied upon for a conviction.

ENDS HIS BIGHTS

ENDS HIS RIGHTS.

12. A party, by failing to exercise his right of peremptory challenge, will be held to have waived any objection on account of the disqualification of a juror then known to exist. Palmer vs State, 4 Neb. 68.

13. It is a rule, applicable to all appellate proceedings, that the record of the trial court, when properly authenticated, imports absolute verity. If such record is partial or incorrect, the remedy is by means of an appropriate proceeding to secure a correction thereof in the lower court. Omaha L. & T. Co. vs Hogeboom. 47. Neb. 7.

14. It is within the discretion of the district court to place a reasonable limit upon the time for the production of evidence and the exercise of such discretion is not, except ENDS HIS RIGHTS.

in case of an abuse of power, the subject of review.

15. A new trial will not be allowed on account of the absence of a witness who on a subsequent day of the trial attends and testifies for the complaining party.

PUTS ON THE DEATH WATCH.

Deputy Sheriff Tony Back was detailed temporarily as a death watch and a constant watch will be kept over the movements of Morgan until he has started for the scaffold or has been granted a further lease of life.

Since his incarceration Morgan has lost
a large amount of flesh. He is an unusually large man, being over six feet in height and weighing at the time of his arrest over 200 pounds. He has lost flesh until his weight is below 150 pounds and his long confine-ment has bleached his skin until there is

not a particle of color in it.

The crime for which Morgan is sentenced for the second time to hang was committed November 3, 1895. Ida Gaskill, a pretty little girl 11 years of age, was found dead in the deserted shanty at 1807 Half-Howard in the deserted shanty at 1807 Half-Howard appropriating \$45,000 for an Illinois exhibit not a particle of color in it. street about 3 o'clock on the morning of November 4. There were evidences that the little one had been outraged and choked to

death. Martin Booker, a friend of the Gaskill family, Edward Sanford, a teamster, and George Morgan, a collar maker, all of whom roomed in the immediate neighbor-hood and all of whom had been on friendly terms with the little one and her mother and younger brother, were arrested. Blood was found on Morgan's underclothing and on his person, and he was held, the other two men-being released.

penalty. The case was appealed to the supreme court and many delays ensued, resulting in

this time

MORGAN'S OPINION OF COURTS. Morgan was seen in his cell after he had returned from his bath. He was eagerly discuesing with Deputy Sheriff Back the merits of several different brands of chewing to bacco and was laughing and joking in the most careless manner imaginable. He was very surly and uncommunicative when asked regarding the action which had been taken in his case, and said he never expected to get justice at the hands of any court. He de-nounced all courts of justice as "kangaroo courts." and said they were nothing but machines to oppress the innocent.

By dint of persistent questioning, Morgan eald he intended to appeal to the governor as a last resort and remarked with a ghastly laugh that he "guessed he would stay here until it came time to go out." He repeated the statements he has made all along, that he was entirely innocent of the crime of which he was convicted and knew nothing about it. He said he was in bed at the time the crime was committed and for some time

During his entire incarceration. Morgan has shown an ugly disposition and frequently resorts to the most vile language to express his displeasure with the manner in which he is treated. His animal propensities are con-

Catarrh in the Bead Is a dangerous disease. It may lead di-rectly to consumption. Catarrh is caused by impure blood, and the true way to cure it is by purifying the blood. Hood's Sarsaparilla cures catarrh because it removes the cause of it by purifying the blood. Thou-sands testify that they have been cured by Hood's Sarsaparilla.

Hood's Pills are purely vegetable and do not purge, pain or gripe. All druggists, 25c. HAYDEN BROS.

Letting Down the Prices. 3-pound pail lard, 13c. 5-pound paid lard, 19e. 10-pound pail lard, 43c. 50-pound pail lard, \$1.95. Picnic hams, 6c. Sugar cured hams, 7c. Cooked hams, 15c. Strictly fresh eggs, 7½c. 10 bars any brand laundry soap, 25c. HAYDEN BROS.

21,000 pairs fine shoes and slippers, all tied together in pairs, all on bargain counters, at half price, quarter price or less, on Saturday, at Boston Store.

CHILD FINDS A HOME AT LAST. Ethel Brinsmend Will Be Cared For by Her Father.

Little 3-year-old Ethel Brimsmead, who was was spirited away by her aunt, is to be taken in charge again by the father. The girl was sent to this city in care of Jane Lawless, her aunt, for medical treatment. On her arrival here James Scanlan tried to be appointed her guardian. To this Mrs. Lawless objected and last Saturday she got possession of the child. Scanlan had a warrant issued for the woman's arrest on a charge of kidnapping, but the woman evaded he officers who were waiting for her at the depot, tramped several miles over the praiwith the little one to DeBolt sta took the train there and safely arrived at her home in O'Neill.

The father, who is stationed at Fort Keogh with the Second infantry, was informed by the police of the condition of affairs. Wednesday he sent a telegram to the effect that he would come and would at once take steps to regain pos-session of the child.

For morbid conditions take Beecham's Pills

Festival of the Seasons. The women of Unity church will give a lawn fete, to which they have applied the name of "The Festival of the Seasons," this revening at 8 o'clock at the residence of Thomas L. Kimba'l, 1231 Park Wilde avenue. An elaborate and appropriate program has been prepared, and a feature of the entertainment will be the dancing of the minuet in costume by the same young people who recently performed it at the ball for the benefit of the Visiting Nurses' association.

THE CLAIM TO AN AWARD AT THE WORLD'S FAIR BY A NEW YORK BAK-ING POWDER CO. IS WHOLLY FALSE. It shows no medal-it cannot show any. The



These fac-similes are positive evidence that the Price Baking Powder Co., of Chicago, did receive the HIGHEST AWARD at the WORLD'S COLUMBIAN EXPOSITION for DR. PRICE'S CREAM BAKING POWDER

## ILLINOIS IS IN THE LEAD

No Longer Any Doubt the Sucker State Will Be Represented.

LIBERAL APPROPRIATION FOR EXPOSITION

News that House Has Passed Senate Bill Setting Aside \$45,000 for an Exhibit at Exposition Received with Much Satisfaction.

at the Transmississippi Exposition, was received with a great deal of satisfaction by the exposition management. This is the most liberal appropriation which has been made by any state except Nebraska, and the fact that Illinois is not in the transmississippi region makes the action all the more gratifying to the local authorities.

The bill as passed by the house approves the appropriation of \$45,000 made by the senate, but the provision setting saide \$5,000 took the matter very coolly, smiling in a melf-possessed manner, as he remarked: "Well, that is not the last chance, any way." In this remark he had reference to somewhat. November 29 the trial was comit necessary to send the bill back to the senmenced before Judge Scott, and a verdict was returned December 9, Sunday morning, finding Morgau guilty of murder in the first degree and fixing the death portion knocked out by the house, but better counsel prevailed and the bill as amended by the house was concurred in by the senate and now goes to the governor for his the final determination being delayed until signature.

Governor Tanner is understood to favor of the bill, and no doubt is entertained about his signing it.

between General Manager Dickinson and Auditor of Passenger Accounts Southard. A telegram to The Bee from Springfield.

sent last night, says:
"The exposition bill now only needs the rine exposition bill now only needs the signature of Governor Tanner to make it would be gone about an hour. That was the effective. The house yesterday passed the last seen or heard of him, so far as is known, bill for the same amount as it passed that He may still be bicycling, but his folks do senate, viz: \$45,000, although a strong effort not know where. It is feared that Mr. Robinwas made to reduce it to \$25,000, or even son is suffering from a severe mental \$20,000, which was the amount given to trouble, possibly being an attack of tem-Nashville, The house, however, struck out the clause making \$5,000 of the \$45,000 available for the expenses and compensation of Pacific headquarters have been especially the commission. Several senators, who had arduous. With the separation of the Oregon in view patronage for their constituents on the commission, gave notice last night of their intention to fight the house amendment. As the legislature will adjourn sine die tomorrow, such action on the part of the sen- | Line went out, Mr. Robinson received a proate would have compelled a conference com-mittee and greatly endangered the success of the bill. Messrs, Wells, Martin and Higbee, representing the exposition, worked almost all night with the disaffected senators, and their success is shown in the vote to concur in the house amendment, which was

thirty-eight for and none against. The elimination of the compensation clause for the commission will prevent it be-coming a political body, and it will doubtless be composed of twenty of the best representative men of the state. No doubt exists as to Governor Tanner's signing the bill. and Illinois will be represented not only with a fine state building and state exhibit, but the passage of this bill will insure the ex-penditure of many times the amount given by the state by manufacturers who have been awaiting the action of the legislature before deciding to exhibit. The Omaha representatives go to Chicago tonight very tired, but thoroughly satisfied with the results ob-

SECRET ORDERS AND EXPOSITION.

Many Societies Will Erect Buildings on the Grounds. There seems to be no doubt but that several of the leading secret societies will have headquarters bulldings on the exposition grounds. Action in this matter is already well along with some of these societies, and others are taking it up with strong indications that the movement will be successful. It is reasonably certain that the Knights of the Maccabees will have a handson building which will cost about \$5,000. Th will be located at a prominent point on the exposition grounds, and will be used as headexposition grounds, and will be used as it and quarters by this society. This is assured by the action of the grand lodge of Minnesota on this matter. Two delegates went from this matter. on this matter. Two delegates went from Comaha last week for the purpose of bringing about this result, and they have returned home with victory perched upon their banner. These delegates were W. W. Hubbard, deputy grand commander of Nebraska, and Charles A. Tracy. They attended the session of the Minnesota grand lodge and presented the matter to that body. They explained the project and informed the grand lodge that the states of Nebraska, Iowa, Colorado, North and South Dakota have instructed their delegates to the supreme tent to support the move, and that the delegates from the states of California, Oregon and Washington have pledged themselves to vote for it in the supreme tent. The supreme tent will meet at Port Huron, Mich., the first Tuesday in July, and the votes already secured for the project make a majority of forty-two votes in the supreme tent, thus assuring the carrying out of

In the meantime Mr. Hubbard will have plans for the contemplated building prepared and will submit the plan for the considera tion of the supreme tent members.

The head camp of the Modern Woodmen of

America, now in session at Dubuque, Ia., is also considering a similar project and the grand lodge of the Ancient Order of United Workmen for Nebraska, which met in this city recently, endorsed the idea of having a headquarters building for the order on the grounds of the exposition. It is also expected that the Woodmen of the World, with its principal offices in Omaha, will have a building on the grounds

Will Invite Bids Next Week. The plans for the Administration building of the Transmississippi Exposition have been received and are now in the hands of the exposition officials. Bids on construction will be invited next week.

Notes of the Exposition. P. M. Price, the local manager of the Nebraska Moline Plow company, has applied to the Department of Exhibits for square feet of space for an exhibit, with the right to increase this amount.

The members of the Nebraska Exposition communission will meet with the manager of the Department of Exhibits June 8 for the purpose of formulating rules governing ex-hibits of live stock and dairy products. General Manderson, general solicitor for the B. & M. railroad, yesterday paid over to the exposition management \$7,500 cs the Burlington's assessment for June, being 25 per cent of the Burlington's subscription of \$30,000.

G. Richards, a local chicken fancier, has been instrumental in securing a large number of applications for space from breeders of fancy fowls and from manufacturers of incubators, brooders and other improved paraphernalia by which the industrious hen is assisted in increasing the census.

W. H. Sutherlin of White Sulphur Springs, Mont., vice president for that state, has notified the Department of Exhibits that Montana will make an agricultural exhibit arranged after the order of that made by the Dominion of Canada at the Colonial and Indian exposition held in London, England, in 1884. This will make an imposing agricultural exhibit and will afford a large amount of space for the exhibits of the agricultural resources of Montana. The mineral resources of the state will also be exhibited in the state will also be exhibited. eral resources of the state will also hibited in a most attractive manner.

A Sure Deliverance.

Not instantaneously, it s true, but in a short space of time, persons of a bilious habit are saved from the tortures which a habit are saved from the tortures which a disordered liver is capable of inflicting by Hostetter's Stomach Bitters, an anti-bilious medicine and aperient of the first rank. The pains in the right side and through the right shoulder blade, the sick headache, nausea, constipation and saffron hue of the skin, are entirely removed by this estimable restorative of tone to the organs of secretion and digestion.

Standard, reputable articles are not dear at the prices asked for them. Substitutes offered by unscrupulous and irresponsible makers are costly at any figure. Be sure that no humburg is practiced on you when you go to buy.

THESE SHOES ON BALE SATURDAY. 21,000 Pairs Mem's Women's Boys'

Misses', Childs' and Infants' Shoes AND SIMPPERS.

ALL ON BARGAIN COUNTERS
AT HOSTON STORE.

No shoes in this sale over half price.

Some shoes at a quarter regular price.

Some shoes at one-third regular price.

Every pair warranted, regardless of price.

Every pair in good style.

All sizes and widths—in almost everyhing.

thing.
All tied together, and assorted; each size

in a separate lot.
At Boston Store, Omala. Everything easy to find. 150 people can sit down at the same time and try on shoes, and not be crowded at

this sale. This is the only shoe sale ever held where you will be able to pick out any size you want on bargain counters. Good shoes were never before offered at

the prices we make Saturday.

BOSTON STORE, OMAHA. 16th and Douglas. 21,000 pairs fine shoes and slippers, all tiel together in pairs, all on bargain counters, at half price, quarter price or less, on

GEORGE H. ROBINSON DISAPPEARS

Saturday, at Boston Store.

Relatives Auxious Concerning the Young Man's Wherenbouts. George H. Robinson, chief rate clerk in the office of Frank Southard, auditor of passenger accounts of the Union Pacific, has mysteriously disappeared. Neither his mother, his brother nor any members of his family, nor any of his fellow clerks at the Union Pacific headquarters, know anything concerning his whereabouts. He has been missing since Saturday evening. The police departments of all the leading cities have been asked to help find the lost young man. His sudden disappearance was the occasion of a special conference yesterday

Mr. Robinson told his mother last Saturday evening, about 7 o'clock, that he was going out for a ride on his bicycle. He said he porary insanity. During the past few months, it is stated, his duties at the Union Short Line from the rest of the Union Pacific system there was an enormous amount of work to be done in his department, and he worked unusually hard. After the motion, and his duties did not decrease, but rather, increased. He had suffered from nervous troubles for several weeks past, and it is only to these that his family and friends can ascribe his continued absence from

He has been connected with the Union Pacific system for the past eleven years, working up step by step from messenger boy to his present place. He was well liked by all the officials at the headquarters who know him. He was vice president of the Union Pacific Wheel club, and was district grand chancellor for Omaha of the Knights of Pythias. He was 29 years old, five feet ten inches tall and weighed 170 pounds. He had brown eyes, short mustache, and black hair. He wore a brown suit of clothes with a sack coat, a black, stiff hat and black patent leather shoes, had on gold spectacles, gold watch and chain with a Knights of Pythias charm attached, a gold seal ring on the mid-dle finger of the left hand when he left home on Saturday evening.

21,000 pairs fine shees and slippers, all tied together in pairs, all on bargain counters, at half price, quarter price or less, Saturday, at Boston Store.

CAN'T FIGURE OUT THE CAUSE. Present Condition of Weather Trees

The Local Observer.
Observer Welsh of the local office of the Weather Bureau is the victim of the splenetic attacks of the numerous citizens and sojourners in Omaha who object to the quantity and quality of the weather which is being manufactured for local consumption The office boy has been instructed to tell all callers that Mr. Welsh is out of the city and telephone calls are not answered unless

Mr. Welsh was caught in an unguarded mo ment yesterday and insisted strenuously that he must not be blamed for the beastly weather which has haunted this section for the past six weeks. He quoted from a formidable looking sheet filled with figures o show, as he said, that the average temperature for last month was just about what he table of figures in his hand showed the average should be, but he admitted that this was the result of three or four days of abnormally warm weather and several weeks of damp, muggy and cold weather. When cornered, he admitted that, in this instance, figures lied, and the greater part of the month of May had been "meaner" than the

records show it should have been.

When asked for an explanation of these onditions the observer frankly admitted that ne knew of none; it had simply "happened Referring to the present conditions. he said the weather chart indicated that the area of low temperature extended over the entire west, with a fall in temperature over Iowa and Nebraska and states lying to the outh of those states, and a slight temperature in the north and northwest. He prophesied that the temperature would rise elightly today and would probably continue rising during the next day or two.

Not only piles of the very worst kind can be cured by De Witt's Witch Hazel Saive but eczema, scalds, burns, bruises, bolls, ulcers and all other skin troubles can be stantly relieved by the same remedy.

MEANS MUCH FOR NEBRASKA. Manager Oldfield Talks of the Tariff

The statement in yesterday's dispatched that the senate finance committee had agreed to the tariff on chicory, demanded by western interests, was received with much satisfaction by those who are interested in the Nebraska chicory industry.

C. Bevan Oldfield, manager of the American Chicory company, said that the proposed tariff would enable his company to push busi ness into Chicago and the field would be tremendously enlarged. Mr. Oldfield was particularly pleased with the 1-cent tariff on the raw article. The tariff of 2½ cents on manufactured product was not so es sential to the western interests, but it would materially assist the eastern manufacturers The great trouble which his company had to encounter was the free admission of chicory root. This was raised by pauper laber in the

freight charge and sold in New York at less thin the farmers would afford to raise it in Nebraska. Consequently the Nebraska business was confined to a comparatively mall territory

After the tariff is imposed, a large new territory will be opened to the Nebraska business, which is expected to develop rap-idly. Mr. Oldfield says that one effect of the tariff will undoubtedly be to bring in com-petition, but with the start that his company has obtained, it will be willing to take chances of getting its share of the business In his opinion the chicary business will now become a much more important factor in Ne braska industry than would have been possi de had the raw article been left on the free

Marriage Licenses. Permits to wed have been issued to the following parties by the county judge: Name and residence. Philip H. Philbin, Omaha Minnle May Bowen, Omah Albert L. Hunter, South Omaha... Frances M. Jacobs, South Omaha... Carl Albert Hellstron, Omaha.... Hilma Olivia Schill, Omaha..... Alexander D. Robertson, Washta, Ia Nannie M. Briggs, Omaha.....

An honest storekeeper will not try to con-

LAIRD-SCHOBER SELL FAST

BARGAIN BINS PILED UP WITH BETTER SHOES

Plenty of Clerks to Wait on Those Who Do Not Wait Upon Themselves\_We Can't Help Selling Shoes...The Prices Do It.

A sight not often seen at shoe sales oc curred repeatedly yesterday when during the great rushes people sat on the counters, on cases and any number of gentlemen con-tented themselves with standing on one leg while trying on shoes. It was a grand sight from a commercial standpoint.

Of course, seats are provided, and it is only in extreme rusbes that all cannot find a fairly comfortable seat somewhere. But this is a shoe sale where people don' stop to ask for a seat.

The bargaine are so stupenduously great that the inconvenience of crowding is a small

matter. The men's \$1.98 shoes had the call today Men, it seemed, had just got onto the fac that this line contained some of the best shoe bargains in the house. We used to sell them for \$4.50.

We have them in the window yet. \$1.98 for a \$4.50 shoe sells them anyhow oxbloods at that.

There are some boys' tans in the window-notice them. They are 38c. They were \$2.00. Tomorrow we put on sale all the youth's finest ox blood lace shoes, in sizes 10 to 2,

that were \$2.00 and \$2.50, heels and spring heels. 98c for the spring beels, \$1.25 for the heels because the heels are for larger boys. There'll be 100 pairs of ladies' tan oxfords that sold for \$1.50 during this sale, sizes 3 to 7, wide lasts.

They are 75c now. There are only two cases of men's \$4.50 calf shoes left.

They are \$1.98 tomorrow.

Over 100 pairs of men's lace and congres shoes in all sizes for 98c. To add to the interest we offer you your choice tomorrow of any tan shoe in the house, as well as ox blood, for \$1.98, former orice cuts no figure.
48c is the lowest priced woman's shoe.

\$2.50 is the highest We can't help selling the shoes. The prices do it. LAIRD-SCHOBER & CO.,

The Quitting Store. 1515 Douglas. 21,000 pairs fine shoes and slippers, all tied together in pairs, all on bargain coun-ters, at half price, quarter price or less, on

Saturday, at Boston Store. H. A. Lozier & Co., manufacturers of the leveland and Westfield bicycles, with headquarters at Cleveland, Ohlo, desire to in-form the cyclists of Omaha and the public

in general that there has been no reduction in the list price of any of the machines manufactured by them.

This declaration is made necessary by the action of Mesers. Milton Rogers & Sons, who ook the agency of our goods last January. Owing to their being disappointed in the number of wheels they sold, they decided to close out their stock at less than cost. According to their statement to H. A. Lozier

& Co., Messrs. Rogers & Sons have but three Cleveland wheels on hand, and when hese are gone there will be no opportunity of buying them for less than \$100 apiece. The Cleveland machine has earned through its individual merits and the liberal policy of its manufacturers a world wide reputaion, and the damaging cut in prices, which is thought by many to be entirely uncalled for, should not influence the opinion of anyone that the Cleveland is not worth the price at which it is listed, viz: \$100. H. A. LOZIER & CO.

21,000 pairs fine shoes and slippers, all tied together in pairs, all on bargain coun-ters, at half price, quarter price or less, on

Closing of Alley Would Force Them Out of Business. Attorney McIntosh, who represents the Kingman interests in the depot controversy, ienies that his client is attempting to impede the construction of a depot in Omaha. He says that Kingman is simply protecting his property interests, as any other man would Mr. McIntosh says that Kingman has

offered time and again to meet the Burlingon Railroad company half way in an adustment of the questions at issue. In add ion to this, he says that if the alley in the rear of the Kingman building is closed will ruin the business of his client and force him out of the state.

21,000 pairs fine shoes and slippers, all tied together in pairs, all on bargain counters, at half price, quarter price or less, or Saturday, at Boston Store.

California is best and quickest reached via the Union Pacific. 16 hours quicker than any other

City Ticket Office, 1302 Farnam St.

County Attorney Enters a Nolle in the Arson Case.

charged in the criminal court with arson. In December, 1895, Volker's shoe store, on Lake street, east of Twentieth, was found to Platner was discharged because he was under be on fire. It was insured, and when he | 16 years of age. tried to collect the money on his policy, the insurance company refused to pay, charging that the fire was of incendiary origin, and that Volker knew more about it than he would tell. He was subsequently arrested but the case was never pressed to trial. The county attorney said yesterday that he had become satisfied that no case could

be made against the defendant. 21,000 pairs fine shoes and slippers, al tied together in pairs, all on bargain counters, at half price, quarter price or less, or Saturday, at Boston Store.

R. R. Over, J. J. Points and eleven other wners of property on Twenty-eighth street between Poppleton and Woolworth avenues between Poppleton and Woolworth avenues, have applied to the courts to cancel the tax levied against their properly for the paying and curbing of the street referred to. They allege that no majority petition for the paving of the street was obtained, and they allege certain technical irregularities in connection with the publication of the notice of the sitting of the city council as a hoard of equalization to levy the tax to pay for the paving.

South Dakota Doesn't Want Him. Chief Sigwart received a communication from the authorities of Centerville, S. D. last evening, ordering him to release B. F. last evening, ordering him to release B. F. Markwood, who was arrested in this city a few days ago. Markwood is wanted in Centerville on a charge of larceny. He refused to return for trial without requisition papers. The Dakota officials did not think the case worth the trouble, and accordingly Markwood was given his liberty last night, with instructions to make himself scarce in this vicinity.

"They are dandles," said Thos. Bowers of the Crocket, Texas, Enterprise, while writ-ing about De Witt's Little Early Risers, the famous little pills for sick headache and d'sorders of the stomach and liver.

Europe-Europe. A personally conducted party of teachers and friends this summer. Low rates. Exclusive. Northwestern Line, 1401 Farnam St.

Three-Quarters of a Century. Dr. E. E. Hale was 75 years old April 3 The Transcript called him then the one citi zen of Boston having a national reputation.

He himself thinks Roston is provincial, and loves to range the country over. So, in spite of his years, he is to visit Omaha again in a few days. Next Tuesday ovening at Boyd's theater he will read his famous story, "The Man Without a Country."

Don't neglect a cough because the weather is pleasant; before the next storm rolls around it may develop into a serious difficulty beyond repair. One Minute Cough Cure is easy to take and will do what its name implies.

Services of Clerks No Longer Needed--The Shoes Sell Themselves.

FOR SALE CHEAP—A brand new stock of Men's Linen Crash Suits, Duck Pants, Straw Hats, and other summer wearables or would exchange for good stock of Ul-sters, Heavy Underwear, Fur Coats, or good, first-class steam heater, Apply to the undersigned or any retail clothing store.

We have some seasonable summer goods to swap for ready money. If the clerk of the weather will only inform us just what particular brand of weather he is going to let us have tomorrow we will advertise a strong line of suitable raiment, In the meantime those bunches of fancy string ties are wanting to change hands at a quarter a bunch and the linen suits at \$2.00 and \$2.50 are shivering away in our show window wishing that somebody would just turn on the steam for a few minutes. We also have-but what's the use? You wouldn't buy them until the mercury quits foolin.

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A GOOD PIANO will lastalifetime-

A POOR PIANO under very favorable circumstance. may be in condition to be used at the end of five years.

WHICH IS THE CHEAPEST IN THE END?

The IVERS & POND, VOSE & SONS and Emerson instruments have an established reputation. They are manufactured of the best material and by thoroughly skilled workmen. They are models of good taste, beautiful tone and artistic workmanship.

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BARTLEY'S ATTORNEY'S NEXT MOVE. Much Speculation as to What it Will

Be. Inquiries as to the next move to be made n the Bartley case were numerous about the court house yesterday. In reply to a question along this line, T. J. Mahoney, one of Bartley's counsel, replied: "Well, we den't seem to have very much to say

we don't seen to have very much to ear about what shall be done. Up to this time anything we have had to say has not had very much weight, apparently, and I can't say what we shall do next."

In response to a question as to whether the next move would be the filing of a motion for a continuance, Mr. Mahoney returned an evasive answer, saying he didn't know

just what would be done Attorney General Smyth said yesterday hat he supposed Bartley's attorneys would file a motion for a continuance before next Tuesday, as this was about the only move that could be made at this time. Mr. Smyth said he would oppose any delay, as nex-week would be the last week during which a WHY THE KINGMANS ARE FIGHTING. jury would be available during the present term of court and if the case were not commenced some time next week, it would have to go over until the September term of

court. County Attorney Baldrige is also anxious to have the case taken up during the com-ing week, and Judge Baker has expressed the determination to commence the trial during the present term of court, unless such action will jeopardize some of the rights of the defendant and form a ground for a reversal by the supreme court.

Terrible Accident-It is a terrible accident to be burned or scalded; but the pair and agony and the frightful disfigurement can be quickly overcome without leaving a scar by using De Witt's Witch Hazel Salve

Judge Had His Suspicions. Beginners in the art of bicycle riding will horoughly appreciate the plea made by W. H. Platner, jr., S. N. Platner and H. C. Williams, three youths who were arraigned in police court yesterday on the charge of riding on the sidewalk. The defense of the boys was that they had just purchased their wheels and had not yet learned how to manage them. Like unbroken bronchos, the bicycles persisted in going on the side walk, despite the attempts of the riders to VOLKER IS GIVEN A CLEAN BILL. pull them away. Even the sight of a policeman did not scare the bicycles off the walk. although the owners said they did their best to avoid committing an offense against the The county attorney yesterday nollied city ordinancs. Judge Gordon does not ride the case against John Volker, who was a wheel and he viewed this explanation suspicious eye. He fined Platner and Wil-suspicious eye. He fined S. N. Platner and Williams \$1 and costs each. The other

> When you buy a propertary article, look at it before the salesman wraps it up, and assure yourself that you are getting the right thing. Substitution is rampant.

Suits in the Muntelpal Court. The first case on the docket of the ma nicipal court is a suit in which Charles White applies to the court to restore to him his building at 1513 Chicago street, now occupied by Ed Meadimber. White says that his tenant owes him rent amounting to \$375, which he has refused to pay, and that he has also refused to give up the building.

Henry Rolff has brought suit against
Christ Rossen in the municipal court for
\$256 his sum alleged to be due on a prom-

szory note. The American Tobacco company has sued J. C. McGuckin on a bill for merchandise amounting to \$332.60.

Modification of Assignments. The following assignments and appointments of officers for the High school cadets In modification of recent announcements have been made: First Lieutenant and Adjutant L. Clarke, to be captain company C, vice Heinrich; Sergeant Major Knight, to be adjutant, vice Heinrich; Sergeant Major Knight, to be distant, vice Burgess; Second Lieutenant Robison, to be first lieutenant company D, vice W. Barrows; First Ideutenant W. Barrows, to be quar-er-master, vice Mathews; Heinrich to be second lieutenant company B, vice Robison; First Lieutenant Burgess to be unassigned; Sergeant J, Bell to be quar-termaster sergeant, vice Bwecly, Sergeant Sweely, to be first sergeant company C, vice Foster; Alvison, to be first sergeant company B, vice Johnson; Fiannigan, to be first sergeant company B, vice Johnson; Fiannigan, to be first sergeant company B, vice Johnson; Fiannigan, Heas; to be fourth sergeant, vice Haynes. modification of recent announcements

Mouth is Painfully Injured Gustav Danielson, son of A. G. Danielson of 2638 Davenport street, met with a pecu liar and painful accident yesterday at noon. He was returning home from school carrying a stick about two feet long. He stumbled and fell, the rick entering his mouth, tearing the flesh from the teach to the mouth from the base of the teeth to the tonils. The torn flesh hung down like a curtain over the throat passage. Physicians were called and it required six stitches to replace the lacerated parts. The doctors say there is nothing serious about the accident, but the boy will not be able to est anything for several days. Har and painful accident vesterday a

BURLINGTON ROUTE.

\$22.50, Omaha to San Francisco, June 29, 30 and July 1, 2 and 2. Stop overs. Tourist cars through to San Francisco. Cool-est, most comfortable, most picturesque route. Reserve berths now.
J. B. Reynolds, G. P. A., Burlington Route,
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Fall et reeth \$5 Filling... \$1 up O

Best Teeth \$7.50 Pure Gold

Thin Plate ...\$10 Filling...\$2 up O

Patnless Painless Croice....\$5 Porcelain
Painless Croice.....\$5

Extracting..50c Bridge teeth
\$3 per tooth The Dentist,

0000000000000 ECLECTICS ELECT OFFICERS

Thirteen Years Experience

Unite to Bring Their National Convention to Omaha Next Year.

COMPLETE THEIR BUSINESS AND ADJOURN

Doctors Adopt Resolutions, Declaring that Their School is Not Represented on the State Board of Health.

The twenty-second annual meeting of the Nebraska State Eclectic Medical society, which has been in session at the Millard hotel for the past three days, adjourned sine The other die at noon yester lay. Resolutions of thanks to the local physicians, to the hotel management and to the press of Omaha were adopted. All the visiting physicians expressed themselves as well pleased with Omaha as a convention city and a resolution inviting the national society to meet here next year during the Transmississippi Exposition was adopted and the delegates to the national meeting instructed to work un-

ceasingly for that desideratum.

The principal item of business at the morning session was the election of officers for the ensuing year. The following are the newly elected officers: President, O. M. Moore, York; first vice president, W. S. Yager, Omaha; second vice president, A. O. Opperman, Auburn; third vice president, C. H. Rush, Republican City; secretary, F. L. Wilmeth, Eagle; treasurer, I. D. Howard,

Harvard. STEWART TURNED DOWN. Yesterday there was an animated debate on the resolution introduced at Wednesday's session calling upon the State Board of Health to remove Dr. Charles F. Stewart of Auburn from the board, as he was not a member of the Nebraska State Eclectic Medi-cal society, nor a representative of that school of medicine. After an exciting half hour, during which several acrimonic marks passed across the convention ball, a vote was reached, and the resolution was carried. There was but one amendment made to the original resolution. The name of F. L. Wilmeth of Eagle was withdrawn from the list of those recommended to the state board from which to choose Dr. Stewart's successor. This action leaves but two names H. B. Cummins of Lincoln and W. T. John

son of Pawnee City to be presented to the State Board of Health. There was some debate as to whether state conventions should hereafter be of two or three days' duration. As it was thought the exposition would bring a large attend-ance out next year it was decided to have a three days' convention.

Dr. Nichols had an instructive clinic on cancer of the breast. M. B. Ketchem of Lincoln read a paper on asthenopla. The society adopted a resolution of profound regret at the death of Dr. J. M. Neely of Elm-

VIA WABASH RY. Half Rates South Tuesday, May 18. Reduced Rates to Nashville, Tenn., every Tuesday. Reduced Rates to Chattanooga, Tenn., in

Reduced Rates to Toronto, Ont., in July. Reduced Rates to Buffalo, N. Y., in Au-Tickets to and from all points in Europe via all lines. For rates, salling lists or a sopy of "To the Lake Resorts and Beyond." call at Wabsah Office, 1415 Farnam street, or write G. N. CLAYTON, Agent.